

A Regular Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 15th day of October 2019.

Present: Kenneth Martin, Supervisor Jeneen Hill, Assessor
 Mary Stelley, Councilman James Musacchio, Attorney
 Sara Jane Sion, Councilman Becky Jo Summers, Town Clerk
 James Hotnich, Councilman Susan Gamel, Bookkeeper
 Jackie McLean, Councilman

Others Present: Candace Termer, Zachary Wilcox, Judith Wilder, Dick Agle, Wayne Harvey, Tom Siegle Dog Control and Thomas Wilder

Supervisor Martin called the meeting to order at 7:00 PM with the pledge to the Flag.

Resolution # 181: **AGENDA APPROVAL**

Motion made by Councilman Sion seconded by Councilman Hotnich to approve the agenda with the addition of a resolution to purchase a computer for the Assessor and laptop for the Town.

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

Resolution # 182: **MINUTES APPROVAL**

Motion made by Councilman McLean seconded by Councilman Sion to approve the minutes of the September 9, 18, 25 and October 2 meetings.

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin,
 Nay 0

Resolution # 183: **ABSTRACT APPROVAL**

Motion by Councilman Hotnich seconded by Councilman McLean that the bills be paid on abstract #16 for 2019 dated October 15, 2019 for listed vouchers #648 – 722 \$ 119,217.40:

General – Townwide	33,486.69	Special Refuse	3,401.74
General – Part Town	873.21	Water District # 1	30,547.70
Highway	12,765.90	Water District # 3	32,130.65
Library	1,000.00	Water District # 4	4,010.05
Special Lighting	1,001.46	Total	\$ 119,217.40

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

Public Access

Judith Wilder asked the board what came about from the issues brought up at the last meeting. Gene Degman told the Wingeier's to keep within regular hours. Mrs. Wilder stated since the last meeting five more truck loads were delivered. The traffic, noise and radio are still blasting. She feels she lives in a residential area and they feel they are not. She does not want to go through another summer as this past one. Nothing has changed and she asks what the Town's agenda of answering her is; should she get a letter from the Board. He is out at 4:30 am; the radio is on at 7:30 am and the tractor is running before 8:00 am; it is not quieter. The Code thing is the problem and she would not be able to sell her property with what is going on across the road.

Cutting and selling firewood is not allowed in a residential area. (Supervisor Martin will talk again with the Code Enforcement Officer.)

Attorney Musacchio read everything Mrs. Wilder gave him and he stated Mr. Degman went to talk with Mr. Wingeier. If code violations still exist and not rectified, he can issue tickets. Mr. Musacchio also spoke with Mr. Wingeier on hours of operation and the noise after he spoke with Mr. Degman and this is more complicated than Mrs. Wilder thinks.

Departmental Reports

Assessor – New Assessor Jeneen Hill was introduced. She will be sending out senior and agricultural

applications and is trying to catch up on everything.
Bi-centennial committee submitted their September report.
Code Enforcement submitted their monthly report.
Dog Control Office submitted his monthly report and stated people are bringing dogs into town from another town that they picked up. Leave the dogs where you found them or contact that town to get the dog. We cannot pay for the dog from another town.

RESOLUTION # 184: OPEN PUBLIC HEARING ON 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ELIGIBLE PROJECTS:

Motion made by Councilman Stelley seconded by Councilman McLean to open the public hearing on 2020 Community Development Block Grant eligible projects at 7:30 PM.

NOTICE OF PUBLIC HEARING FOR TOWN OF COLLINS FEDERAL COMMUNITY DEVELOPMENT FUNDS

PLEASE TAKE NOTICE that the Town Board of the Town of Collins will hold a public hearing on **Tuesday, October 15, 2019 at 7:30 pm** at the Collins Town Hall, 14093 Mill Street, regarding the use of Federal Community Development funds on the Town of Collins.

The Town of Collins is eligible for a Federal Community Development grant under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Collins.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Collins' selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town at 532-4887 ext. 101 by October 10, 2019.

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

After the Public Hearing Notice was read by Supervisor Martin, he explained the program and read a list of projects the Town received funding for. Projects discussed were the Rural Transit Service. LKP Community Center updating of rest rooms to be handicap assessable and Mill, Maple, Mildred and School Streets road drainage. The floor was opened up for comments or any project that may come to mind.

RESOLUTION # 185: CLOSE PUBLIC HEARING ON 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ELIGIBLE PROJECTS

Motion made by Councilman McLean and seconded by Councilman Sion to close the Public Hearing on 2020 Community Development Block Grant eligible projects, at 7:39 PM.

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

Departmental Reports - continued

Highway, transfer station and parks reports were read.

Liberty Fest – Councilman Stelley read the final report.

Seniors – Councilman Sion met with Pat Tucker from the seniors' about the bad holes in the LKP back parking lot and there are workers that park in the handicap spots. The handicap signs need to be put back up and the water ponding needs to be taken care of.

Town Clerk reported September sales of \$ 8,174.06 with the Town's portion \$ 4,086.53.

Water department had both water storage tanks cleaned out.

Board Reports

Councilman McLean attended the Supervisor's roundtable meeting, three senior lunches, NEST meeting, interviewed the recreation employees, reviewed the vouchers, attended the bi-centennial meeting and the budget workshops.

Councilman Sion attended the senior lunches, budget workshops and reviewed the vouchers

Councilman Hotnich reviewed the vouchers and attended the budget workshops.

Councilman Stelley attended the budget workshops, updated the website, reviewed the vouchers and set up the sexual harassment training on-line.

Supervisor Martin attended the Rural Transit meeting, CDBG Consortium meeting, meeting at Mortons Corners Fire Hall on the deplorable condition of Trevitt and Zoar Valley Road and attended the Granis Creek flood project meeting.

Old Business

1. Resolution to approve 2019 budget modification

RESOLUTION # 186: **APPROVE 2019 BUDGET MODIFICATION**

Motion made by Supervisor Martin, seconded by Councilman Stelley to approve the following 2019 Budget Modification:

A Fund:

Transfer From:

A1940.400 Contingency Fund \$12,611.60
\$12,611.60

Transfer To:

A1440.400 Contractual

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

2. Resolution to accept August 2019 Supervisor's report

RESOLUTION # 187: **ACCEPT AUGUST 2019 SUPERVISORS' REPORT**

Motion made by Councilman Stelley seconded by Councilman McLean to accept the Town of Collins Supervisor's Report as submitted, for the month of August 2019.

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

3. Resolution to approve Cable Television Franchise Agreement

RESOLUTION # 188: **APPROVE CABLE TELEVISION FRANCHISE AGREEMENT**

Motion made by Councilman Hotnich and seconded by Councilman Sion that the following is:

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

WHEREAS, an application has been duly made to the Board of the Town of Collins, County of Erie, New York, by Time Warner Cable Northeast LLC, I/k/a Charter Communications, a limited liability company organized and existing in good standing under the laws of the State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a renewal agreement for Time Warner Cable's cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission, and

WHEREAS, the Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings, and

WHEREAS, a public hearing was held in the Town of Collins, New York on September 9, 2019 at 7:30 P.M. and notice of the hearing was published in the Dunkirk Observer on September 4, 2019.

NOW, THEREFORE BE IT RESOLVED, the Board of the Town of Collins finds that:

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1. Time Warner Cable Northeast LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Time Warner Cable Northeast LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Time Warner Cable Northeast LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Town of Collins hereby grants the cable television franchise of Time Warner Cable Northeast LLC and the Town of Collins for ten (10) years commencing with the date of approval by the Public Service Commission and expiring ten (10) years hence and,

BE IT FURTHER RESOLVED that the Board of the Town of Collins hereby confirms acceptance of this Franchise Renewal Agreement.

New Business

1. Resolution to rank 2020 Erie County Community Development Block Grant project requests
RESOLUTION # 189: **RANK 2020 ERIE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT REQUESTS:**

Motion made by Councilman McLean, seconded by Councilman Hotnich to authorize Kenneth E. Martin, Supervisor, to sign, submit, and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following projects, upon approval of ECCDBG:

1. Rural Transit Van Program

2. Resolution to hire 2019 – 2020 winter recreation staff

RESOLUTION # 190: **HIRE 2019-2020 WINTER RECREATION STAFF**

Motion made by Councilman McLean and seconded by Councilman Sion that the following is:

ADOPTED Aye 4 McLean, Sion, Stelley, Martin

Nay 0

Abstained 1 Hotnich

WHEREAS, the Town of Collins sponsors a Youth Program during the winter months, and

WHEREAS, the Town wishes to fill the positions required for this program, and

WHEREAS, the Town advertised for the positions of Recreation Supervisor and Recreation Attendant, and the Personnel Committee, along with the Recreation Director, reviewed applications and interviewed applicants.

NOW, THEREFORE BE IT RESOLVED that the Collins Town Board follow the recommendations of the personnel committee, and hire the following applicants for the 2019-2020 winter program: Recreation Supervisor at \$13.31 per hour: Thomas McMullen Recreation Attendants at \$11.10 per hour: Justin Kehr, Monica Sturm, Casey Peglowski, Jacob Quiter, Michelle Merrill, Autumn Mangano, and Kevin Stapleton.

3. Resolution to approve emergency dispatch contract with Town of Evans

RESOLUTION # 191: **APPROVE EMERGENCY DISPATCH CONTRACT WITH TOWN OF EVANS**

Motion made by Councilman Hotnich and seconded by Councilman Stelley that the following is:

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin

Nay 0

WHEREAS, the Town of Evans has furnished dispatch service for all fire and EMS "911" calls in the Town of Collins through a five year agreement which expires December 31, 2019, and

WHEREAS, the Town of Collins received two proposals for dispatching as follows: Village of

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Springville at \$52,568 per year for 2020 and Town of Evans a five year contract starting at \$29,779.91 for 2020 with a five percent (5%) increase per year for the next four years, and

WHEREAS, the Collins Town board wishes to enter into another five year agreement for dispatching service.

THEREFORE BE IT RESOLVED, that the Collins town Board hereby approves entering into a new five year dispatching agreement for fire and EMS "911" calls with the Town of Evans with a year 2020 cost of \$29,779.91 and an annual cost increase of 5% per year for the next four years, the agreement to start January 1, 2020 and end December 31, 2024, and that the Town of Collins Supervisor be authorized to sign the agreement.

4. Resolution to appoint Assessor Clerk

RESOLUTION # 192: **APPOINTMENT TO ASSESSOR CLERK POSITION**

Motion made by Supervisor Martin and seconded by Councilman Stelley that the following is:

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

WHEREAS, the individual appointed to the clerk position in the Collins Town Assessor Office resigned effective September 30, 2019, and

WHEREAS, the Collins Town Board wishes to fill this position for the remainder of 2019 in order to give assistance to the newly appointed assessor Jeneen Hill in updating files, and

WHEREAS, Assessor Hill has recommended Jennifer Renaldo for the clerk position, as Jennifer is a clerk in the Town of Evans Assessor Office.

THEREFORE BE IT RESOLVED that the Collins Town board hereby appoints Jennifer Renaldo to the clerk position in the Collins Town Assessor Office for the remainder of 2019 effective October 15, 2019 at a salary of \$11.10 per hour for three hours per week.

5. Resolution to approve insured cash sweep deposit placement agreement

RESOLUTION # 193: **APPROVE INSURED CASH SWEEP (ICS) DEPOSIT PLACEMENT AGREEMENT**

Motion made by Councilman Sion and seconded by Councilman McLean that the following is:

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

WHEREAS, the Town of Collins has town funds invested in Certificates of Deposit in the Cattaraugus County Bank (CCB), and

WHEREAS, per the adopted Town of Collins Investment Policy, CCB must collateralize all Town funds in excess of the amount insured under the provisions of the Federal Deposit Insurance Act, and

WHEREAS, under General municipal Law Article 2. General Municipal Finances §10. Deposits of public money; security 2.a.(i) the governing board of a local government that has designated one or more banks or trust companies for the deposit of public funds may, in its discretion, authorize the designated bank or trust company to arrange for the redeposit of the local government's funds in one or more banking institutions for the account of the local government, through a deposit placement program, and

WHEREAS, Promontory Interfinancial Network, LLC offers an Insured Cash Sweep (ICS) Deposit Placement Program with The Bank of New York Mellon acting as issuing agent, sub-custodian, settlement agent and record keeper, and

WHEREAS, all town funds redeposited through the ICS will be insured by the Federal Deposit Insurance Corporation (FDIC).

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THEREFORE BE IT RESOLVED, that the Collins Town Board hereby approves entering into an Insured Cash Sweep Deposit Placement Agreement with CCB and Promontory Interfinancial Network, LLC for the redeposit of Town Funds and authorizes the Collins Town Supervisor to sign the agreement

after review by the Town Attorney.

6. Resolution to purchase computer for Assessor and a laptop for the Town – after discussion the resolution was pulled as more information is needed before approving the purchase.

7. Schedule workshop meetings on 2020 budget
Wednesday, October 23, 2:00 – 4:00 pm
Thursday, October 24, 2:00 – 4:00 pm
public hearing Monday, November 4, 7:00 pm

With no further business, on a motion of Supervisor Martin seconded by Councilman Hotnich the meeting was adjourned at 8:40 pm.

Becky Jo Summers, Town Clerk

WORKSHOP MEETING

TOWN OF COLLINS

OCTOBER 23, 2019 1

A Workshop Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 23rd day of October 2019.

Present:	Kenneth Martin, Supervisor	Jackie McLean, Councilman
	Mary Stelley, Councilman	Susan Gamel, Bookkeeper
	Sara Jane Sion, Councilman	Becky Jo Summers, Town Clerk

James Hotnich, Councilman

Supervisor Martin called the meeting to order at 2:00 PM.

Resolution # 194: **AGENDA APPROVAL**

Motion made by Councilman Sion seconded by Councilman McLean to approve the agenda as presented.

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

Budget

All changes that were discussed at the last budget meeting were put into the budget and Supervisor Martin went through the budget highlighting those changes.

Supervisor Martin will update the five-Year Plan and distribute copies.

Old Business

Purchase of desktop computer for Assessor and laptop computer for the Town Hall will be left to the discretion of the department heads.

New Business

1. Adopt tentative budget and set public hearing on 2020 budget

RESOLUTION # 195: **ADOPT TENTATIVE BUDGET AND SET PUBLIC HEARING ON 2020 BUDGET**

Motion made by Councilman Stelley and seconded by Councilman Sion to adopt the 2020 Tentative Budget as the 2020 Preliminary Budget and set a public hearing to be held on Monday, November 4, 2018 at 7:00 pm.

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

**NOTICE OF PUBLIC HEARING FOR TOWN OF COLLINS
ANNUAL PRELIMINARY BUDGET**

NOTICE IS HEREBY GIVEN, that the annual preliminary budget of the Town of Collins for the year 2020 has been completed and filed in the office of the Clerk of the Town of Collins, where it is available for inspection by any interested person during office hours.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Collins will meet and review said preliminary budget and hold a public hearing thereon at the Collins Town Hall, 14093 Mill Street, Collins, New York, Erie County, on the **4th day of November, 2019, at 7:00 P.M.** and any person may be heard in favor of or against the preliminary budget, as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town law, the proposed salaries of the following town officials are hereby specified as follows:

1. Town Councilman \$ 6,688.78 each per annum, or \$ 26,755.12
2. Supervisor \$ 20,500.00 per annum base amount, and an additional \$1,500.00 to supervise the Water Department, making the total \$ 22,000.00 per annum
3. Town Clerk \$ 43,795.66 per annum

WORKSHOP MEETING

TOWN OF COLLINS

OCTOBER 23, 2019 ²

4. Superintendent of Highways \$ 58,287.19 base amount, and an additional \$2,000.00 to supervise the Parks and Transfer Station, making the total \$ 60,287.19 per annum

Councilman McLean went through an email she sent to the board

1. LKP parking lot potholes – Highway Superintendent Waterman will have the larger potholes fixed and work on the drainage
2. handicap signs need to be put back up
3. Recreation Supervisor D'Amato would like to put on face book that the recreation will accept

donated toys and games

4. update on the Wilder situation – Supervisor Martin wants to do it in executive session.

All town computers will be inventoried to see what operating systems each has so all will be up-to-date. Councilman Stelley suggests all have Windows Professional. Councilman Stelley, Councilman Hotnich and Bookkeeper Sue Gamel will be on the committee.

The Board discussed a proposed Assessor shared services agreement between the Towns of Evans, Collins and North Collins. Mr. Martin handed out some financial information regarding this.

Executive Session to discuss

RESOLUTION # 196: ENTER INTO EXECUTIVE SESSION

Motion made by Councilman Hotnich seconded by Councilman McLean to enter into an executive session to discuss the employment history of a particular person at 4:02 pm

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

RESOLUTION # 197: RETURN TO REGULAR SESSION

Motion made by Councilman Hotnich, seconded by Councilman Sion to return to regular session at 4:33 pm.

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

With no further business, on a motion of Councilman Hotnich seconded by Councilman Sion the meeting was adjourned at 4:33 pm.

Becky Jo Summers, Town Clerk

SPECIAL MEETING

TOWN OF COLLINS

NOVEMBER 4, 2019 ¹

A Workshop Meeting of the Town Board of the Town of Collins, County of Erie State of New York was held at the Town Hall, 14093 Mill Street, Collins, NY on the 4th day of November 2019.

Present:	Kenneth Martin, Supervisor	Jackie McLean, Councilman
	Mary Stelley, Councilman	Susan Gamel, Bookkeeper
	Sara Jane Sion, Councilman	Becky Jo Summers, Town Clerk
	James Hotnich, Councilman	

Supervisor Martin called the meeting to order at 7:00 PM.

RESOLUTION # 198: **OPEN PUBLIC HEARING ON THE 2020 TOWN OF COLLINS ANNUAL PRELIMINARY BUDGET**

Motion made by Councilman Hotnich seconded by Councilman Stelley to open the public hearing on the 2020 Town of Collins Annual Preliminary Budget at 7:01 PM.

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

Supervisor Martin read the notice of public hearing:

**NOTICE OF PUBLIC HEARING FOR TOWN OF COLLINS
ANNUAL PRELIMINARY BUDGET**

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FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Collins will meet and review said preliminary budget and hold a public hearing thereon at the Collins Town Hall, 14093 Mill Street, Collins, New York, Erie County, on the **4th day of November, 2019, at 7:00 P.M.** and any person may be heard in favor of or against the preliminary budget, as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town law, the proposed salaries of the following town officials are hereby specified as follows:

1. Town Councilman \$6,688.78 each per annum, or \$26,755.12 in total
2. Supervisor \$20,500.00 per annum base amount, and an additional \$1,500.00 to supervise the Water Department, making the total \$22,000.00 per annum
3. Town Clerk \$43,795.66 per annum
4. Superintendent of Highways \$58,287.19 base amount, and an additional \$2,000.00 to supervise the Parks and Transfer Station, making the total \$60,287.19 per annum

Supervisor Martin went through the 2020 Preliminary Budget recap that was handed out highlighting the changes that were gone through at the workshops. He also went through the tax roll values, the 5-year capital cost plan, the 2 Year Comparison and the tax cap levy analysis.

The cost of the Erie County Snow Removal Contract has increased and Mr. Martin would like to tack the cost off of the taxes and will correct the figures in the preliminary budget and reduce the amount of taxes to be raised. The Board was asked if they have any changes to be made to the budget. None was brought up.

RESOLUTION # 199: **CLOSE PUBLIC HEARING ON THE 2020 TOWN OF COLLINS ANNUAL PRELIMINARY BUDGET**

Motion made by Councilman Sion, seconded by Councilman McLean to close the public hearing on the 2020 Town of Collins Annual Preliminary Budget at 7:24 PM.

ADOPTED Aye 5 McLean, Sion, Hotnich, Stelley, Martin
 Nay 0

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TOWN OF COLLINS

NOVEMBER 4, 2019²

Flushing hydrants – As the water workers were shutting off a hydrant, it hung up and when it shut down it sprung a leak on Mill Street.

Erie County Fluent Energy Program did an analysis of our bills and we would save approximately \$346.02 a year. The Board felt this was not enough of a savings to pursue.

Computer for the Assessor and the Town have been ordered.

With no further business, on a motion of Councilman seconded by Councilman the meeting was adjourned at 4:33 pm.
